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JUL 25 2008

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. Juan Antonio LOPEZ-Rodarte, Defendant.	Magistrate Case No.: '08 MJ 8678 COMPLAINT FOR VIOLATION OF 21 U.S.C. § 952 and 960 Importation of a Controlled Substance (Felony)

The undersigned complainant being duly sworn states:

That on or about July 24, 2008, within the Southern District of California, defendant Juan Antonio LOPEZ-Rodarte did knowingly and intentionally import approximately 30.14 kilograms (66.31 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

Chad N. Worgen, Special Agent
U.S. Immigration and
Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE THIS 25th DAY OF JULY 2008.

Peter C. Lewis
U.S. MAGISTRATE JUDGE

UNITED STATES OF AMERICA
v.
Juan Antonio LOPEZ-Rodarte

STATEMENT OF FACTS

This Statement of Facts is based on the reports, documents, and notes furnished to United States Immigration and Customs Enforcement Special Agent Chad N. Worgen.

On July 24, 2008, at approximately 1830 hours, Juan Antonio LOPEZ-Rodarte entered the United States from Mexico at the Calexico, California West Port of Entry. LOPEZ was the driver, sole occupant, and registered owner of a 1996 Dodge Neon.

Customs and Border Protection Officer (CBPO) J. Becerra was assigned primary inspection duties and received a negative oral Customs declaration from LOPEZ. During inspection of the vehicle, CBPO Becerra observed the vehicle was very clean, there was a single key in the ignition, the vehicle was recently registered, and the gasoline tank sounded solid when tapped. LOPEZ and the vehicle were sent to the secondary lot for an intensive inspection.

CBPO J. Ibarra was assigned secondary inspection duties and received a negative oral Customs declaration from LOPEZ. During questioning, Canine Enforcement Officer (CEO) E. Barroso screened the vehicle with his Narcotics Human Detector Dog (NHDD). CEO Barroso informed CBPO Ibarra that his NHDD had alerted to the vehicle. CBPO Ibarra conducted an intensive inspection of the vehicle and discovered packages located within the gasoline tank and quarter panels. A total of thirty-five (35) packages were removed. CBPO Ibarra probed a package, and it produced a green leafy substance that tested positive for marijuana. The total weight of the marijuana was 30.14 kilograms (66.31 pounds).

LOPEZ was arrested for violation of 21 United States Code 952 and 960, Importation of Controlled Substances. LOPEZ was advised of his rights, per Miranda, which he acknowledged and waived. LOPEZ agreed to be interviewed. LOPEZ admitted knowledge of controlled substances within the vehicle.